

DECLARATORY RESOLUTION
NO. 711 - 1939

For the condemnation of a temporary sewer construction easement eighty (80) feet in width and a permanent sewer easement twenty (20) feet in width with an identical center line as hereinafter described, all of which description of real estate is more fully described as follows and is made a part hereof as though fully set forth, and which lies within the corporate limits of the City of Fort Wayne, Indiana.

APPROVED-ADOPTED: Feb.7,1939,10 AM

NOT.PROP.OWNERS: Feb.8th-15th,1939

HEARING ON CONFIRMATION: Thu. Mar. 2, 1939
7:30 P.M.

CONFIRMED: as "MODIFIED" 3-2-39
(See Min.Rec.#23, page 228)

ASSESSMENT ROLL ORDERED: March 2, 1939,

ASSESSMENT ROLL APPROVED: Thu. March 9,
1939, 7:30 P.M.

NOTICES SERVED: March 20, 1939.

NOT TO NON-RESIDENTS: Mch. 11-18-25th, 1939

HEARING ON CONFIRMATION: Thu. Apr. 6, 1939
7:30 P.M.

REMONSTRANCES FILED:

ASSESSMENT ROLL CONFIRMED: Thur. Apr. 6, 1939
7:30 P.M.

CARL W. REKOWEC
RECORDER
ALLEN COUNTY, IND.

1000

1950 APR 25 PM 2:45

DECLARATORY RESOLUTION NUMBER

711-1939

FOR THE CONDEMNATION OF A TEMPORARY SEWER CONSTRUCTION
EASEMENT EIGHTY (80) FEET IN WIDTH AND A PERMANENT SEWER EASEMENT
TWENTY (20) FEET IN WIDTH WITH AN IDENTICAL CENTER LINE AS HEREINAFTER
DESCRIBED, ALL OF WHICH DESCRIPTION OF REAL ESTATE IS MORE FULLY
DESCRIBED AS FOLLOWS AND IS MADE A PART HEREOF AS THOUGH FULLY SET
FORTH, AND WHICH LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF
FORT WAYNE, INDIANA.

RESOLVED by the Board of Public Works of the City of Fort
Wayne, Indiana, that it is deemed necessary to condemn and acquire
the use and fee simple title for a right of way for intercepting
sewer purposes, across, through and under the following described real-
estate, to-wit:

1240

A TEMPORARY SEWER CONSTRUCTION EASEMENT EIGHTY (80) FEET IN WIDTH AND A PERMANENT SEWER EASEMENT TWENTY (20) FEET IN WIDTH WITH AN IDENTICAL CENTER-LINE DESCRIBED AS FOLLOWS TO WIT:

LOT #1 ELECTRIC ADDITION

Beginning at a point on the northerly property line of lot number one (1) in Electric Addition to the City of Fort Wayne, Indiana, one hundred twenty-three and fifty-one hundredths (123.51) feet from the northwest corner of said lot number one (1), thence southerly twenty-five and eight tenths (25.8) feet to a point on the south property line of said lot number one (1) one hundred twenty-four and seventeen hundredths (124.17) feet from the southwest corner of said lot number one (1).

LOT #2 ELECTRIC ADDITION

Beginning at a point on the north property line of lot Number two (2) in Electric Addition to the City of Fort Wayne, Indiana, one hundred twenty-four and seventeen hundredths (124.17) feet from the northwest corner of said lot number two (2), thence southerly thirty-four and five tenths (34.5) feet to a point on the south line of said lot number two (2), one hundred twenty-six and seventy-four hundredths (126.74) feet from the southwest corner of said lot number two (2).

LOT #3 ELECTRIC ADDITION

Beginning at a point on the north property line of lot number three (3) in Electric Addition to the City of Fort Wayne, Indiana, one hundred twenty-six and seventy-four hundredths (126.74) feet from the northwest corner of said lot number three (3), thence southerly thirty-four and five tenths (34.5) feet to a point on the south property line of said lot number three (3), one hundred twenty-eight and ninety-seven hundredths (128.97) feet from the southwest corner of said lot number three (3).

LOT #4 ELECTRIC ADDITION

Beginning at a point on the north property line of lot number four (4) in Electric Addition to the City of Fort Wayne, Indiana, one hundred twenty-eight and ninety-seven hundredths (128.97) feet from the northwest corner of said lot number four (4), thence southerly thirty-four and five tenths (34.5) feet to a point on the south property line of said lot number four (4), one hundred thirty and four hundredths (130.04) feet from the southwest corner of said lot number four (4).

LOT #5 ELECTRIC ADDITION

Beginning at a point on the north property line of lot number five (5) in Electric Addition to the City of Fort Wayne, Indiana, one hundred thirty and four hundredths (130.04) feet from the northwest corner of said lot number five (5), thence southerly thirty-four and five tenths (34.5) feet to a point on the south property line of said lot number five (5), one hundred thirty-one and eleven hundredths (131.11) feet from the southwest corner of said lot number five (5).

LOT #6 ELECTRIC ADDITION

Beginning at a point on the north property line of lot number six (6) in Electric Addition to the City of Fort Wayne, Indiana, one hundred thirty-one and eleven hundredths (131.11) feet from the northwest corner of said lot number six (6), thence southerly thirty-four and five tenths (34.5) feet to a point on the south property line of said lot number six (6), one hundred thirty-two and nineteen hundredths (132.19) feet from the southwest corner of said lot number six (6).

LOT #7 ELECTRIC ADDITION

Beginning at a point on the north property line of lot number seven (7) in Electric Addition to the City of Fort Wayne, Indiana, one hundred thirty-two and nineteen hundredths (132.19) feet from the northwest corner of said lot number seven (7), thence southerly thirty-four and five tenths (34.5) feet to a point on the south property line of said lot number seven (7), one hundred thirty-three and twenty-five hundredths (133.25) feet from the southwest corner of said lot number seven (7).

LOT #8 ELECTRIC ADDITION

Beginning at a point on the north property line of lot number eight (8) in Electric Addition to the City of Fort Wayne, Indiana, one hundred thirty-three and twenty-five hundredths (133.25) feet from the northwest corner of said lot number eight (8), thence southerly thirty-four and five tenths (34.5) feet to a point on the south property line of said lot number eight (8), one hundred thirty-four and thirty-two hundredths (134.32) feet from the southwest corner of said lot number eight (8).

LOT #15 BRACKENRIDGE'S 2ND SUBDIVISION

Beginning at a point on the south line of Brown Street a distance of twenty-two and seventeen hundredths (22.17) feet from the northwest corner of lot number fifteen (15) in Brackenridge's Second Subdivision, thence southerly a distance of three hundred sixty-one and eighty-one hundredths (361.81) feet, thence to the right seven degrees two minutes (7° 2') a distance of two hundred sixty-seven and thirty-three hundredths (267.33) feet to a point on the southerly property line of said lot number fifteen (15) which point is described as follows:

Beginning at a point on the southwest corner of said lot number fifteen (15), thence easterly a distance of forty (40) feet, thence to the right thirteen degrees fifty-two minutes (13° 52') a distance of nineteen and sixty-three hundredths (19.63) feet which point is the before mentioned point on the southerly property line of said lot number fifteen (15).

LOT #19 BRACKENRIDGE'S 3RD SUBDIVISION

Beginning at a point on the north property line of lot number nineteen (19) in Brackenridge's Third (3rd) Subdivision, a distance of three hundred thirty-two and eighteen hundredths (332.18) feet from the northwest corner of said lot number nineteen (19), thence southerly a distance of one hundred thirty-two and twenty-six hundredths (132.26) feet to a point on the south property line of said lot number nineteen (19), a distance of three hundred twenty-three and ninety-four hundredths (323.94) feet from the southwest corner of said lot number nineteen (19).

LOT #20 BRACKENRIDGE'S 3RD SUBDIVISION

Beginning at a point on the north property line of lot number twenty (20) in Brackenridge's Third (3rd) Subdivision, a distance of three hundred twenty-three and ninety-four hundredths (323.94) feet from the northwest corner of said lot number twenty (20), thence southerly a distance of one hundred thirty-two and two tenths (132.2) feet to a point on the south property line of said lot number twenty (20) a distance of three hundred seventeen and six hundredths (317.06) feet from the southwest corner of said lot number twenty (20).

LOT #21 BRACKENRIDGE'S 3RD SUBDIVISION

Beginning at a point on the north property line of lot number twenty-one (21) in Brackenridge's Third (3rd) Subdivision a distance of three hundred seventeen and six hundredths (317.06) feet from the northwest corner of said lot number twenty-one (21), thence southerly a distance of ninety-eight and sixty hundredths (98.60) feet, thence to the left at two degrees and forty-six minutes a distance of thirty-three and sixty-one hundredths (33.61) feet to a point on the south property line of said lot number twenty-one (21), a distance of three hundred nine and fifty-five hundredths (309.55) feet from the southwest corner of said lot number twenty-one (21).

LOT #22 BRACKENRIDGE'S 3RD SUBDIVISION

Beginning at a point on the north property line of lot number twenty-two (22) in Brackenridge's Third (3rd) Subdivision, a distance of three hundred nine and fifty-five hundredths (309.55) feet from the northwest corner of said lot number twenty-two (22), thence southerly a distance of one hundred thirty-two and one hundredths (132.01) feet to a point on the south property line of said lot number twenty-two (22), a distance of three hundred eight and seven hundredths (308.07) feet from the southwest corner of said lot number twenty-two (22).

LOT #9 ELECTRIC ADDITION

Beginning at a point on the north property line of lot number nine (9) in Electric Addition to the City of Fort Wayne, Indiana, one hundred thirty-four and thirty-two hundredths (134.32) feet from the northwest corner of said lot number nine (9), thence southerly thirty-four and five tenths (34.5) feet to a point on the south property line of said lot number nine (9), one hundred thirty-five and four tenths (135.4) feet from the southwest corner of said lot number nine (9).

LOT #18 BRACKENRIDGE'S 3RD SUBDIVISION

Beginning at a point on the northerly line of lot number eighteen (18) in Brackenridge's Third (3rd) Subdivision, which point is described as follows:

Beginning at the northeast corner of Anna Dolan's Subdivision of part of lot eighteen (18) in Brackenridge's Third (3rd) Subdivision, thence easterly along the southerly line of Hale Avenue, a distance of one hundred sixty-five (165) feet, thence to the right fourteen (14) degrees and forty-four (44) minutes along the southerly line of Hale Avenue a distance of six and twenty-six hundredths (6.26) feet to a point, which point is the before mentioned point of beginning, thence southerly a distance of two hundred fifty-eight and ninety-four hundredths (258.94) feet to a point on the south property line of said lot number eighteen (18) a distance of one hundred fifty and eighteen hundredths (150.18) feet from the southeast corner of said Anna Dolan's Subdivision.

LOT #23 BRACKENRIDGE'S 3RD SUBDIVISION

Beginning at a point on the north property line of lot number twenty-three (23) in Brackenridge's Third (3rd) Subdivision to the City of Fort Wayne, Indiana, a distance of three hundred eight and seven hundredths (308.07) feet from the northwest corner of said lot number twenty-three (23), thence southerly a distance of one hundred thirty-two and one hundredths (132.01) feet to a point on the south property line of said lot number twenty-three (23), a distance of three hundred six and nine hundredths (306.09) feet from the southwest corner of said lot number twenty-three (23).

LOT #24 BRACKENRIDGE'S 3RD SUBDIVISION

Beginning at a point on the north property line of lot number twenty-four (24) in Brackenridge's Third (3rd) Subdivision, a distance of three hundred six and fifty-nine hundredths (306.59) feet from the northwest corner of said lot number twenty-four (24), thence southerly a distance of thirty-nine and eighteen hundredths (39.18) feet, thence to the right five degrees eight and one-half minutes ($5^{\circ} 8' 1/2''$) a distance of ninety-three and four tenths (93.4) feet to a point on the south property line of said lot number twenty-four (24), a distance of two hundred ninety-six and nine tenths (296.9) feet from the southwest corner of said lot number twenty-four (24).

LOT #25 BRACKENRIDGE'S 3RD SUBDIVISION

Beginning at a point on the north property line of lot number twenty-five (25) in Brackenridge's Third (3rd) Subdivision, a distance of two hundred ninety-six and nine tenths (296.9) feet from the northwest corner of said lot number twenty-five (25), thence southerly a distance of one hundred thirty-two and six tenths (132.6) feet to a point on the south property line of said lot number twenty-five (25), a distance of two hundred eighty-three and five tenths (283.5) feet from the southwest corner of said lot number twenty-five (25).

LOT #26 BRACKENRIDGE'S 3RD SUBDIVISION

Beginning at a point on the north property line of lot number twenty-six (26) in Brackenridge's Third (3rd) Subdivision, a distance of two hundred eighty-three and five tenths (283.5) feet from the northwest corner of said lot number twenty-six (26), thence southerly a distance of forty-five and eight hundredths (45.08) feet to a point on the south property line of said lot number twenty-six (26) a distance of two hundred seventy-nine and eighteen hundredths (279.18) feet from the southwest corner of said lot number twenty-six (26).

PARCEL MARKED "A"

Beginning at a point on the south property line of lot number twenty-six (26) in Brackenridge's Third (3rd) Subdivision, two hundred seventy-nine and eighteen hundredths (279.18) feet from the southwest corner of said lot number twenty-six (26), thence southerly a distance of sixty-nine and seventy-four hundredths (69.74) feet, thence to the left twenty-six degrees thirty-four and one-half minutes ($26^{\circ} 34' 1/2''$) a distance of eighty-seven and three hundredths (87.03) feet to a point one hundred twenty-four and fifty-one hundredths (124.51) feet due south of and three hundred one and seventy-four hundredths (301.74) feet due east of the southwest corner of lot number twenty-six (26) in Brackenridge's Third (3rd) Subdivision.

PARCEL MARKED "B"

Beginning at a point which is one hundred twenty-four and fifty-one hundredths (124.51) feet due south of and three hundred one and seventy-four hundredths (301.74) feet due east of the southwest corner of lot number twenty-six (26) in Brackenridge's Third (3rd) Subdivision, thence southerly a distance of eighty-four and seventy-three hundredths (84.73) feet to a point on the northerly property line of the Wabash Railroad right-of-way which point is two hundred three and eight tenths (203.8) feet due south of and three hundred thirty-two (332) feet due east of the said southwest corner of said lot number twenty-six (26).

WABASH RAILROAD CO. RIGHT-OF-WAY PARCEL "C"

Beginning at a point on the northerly line of the right-of-way of the Wabash Railroad Company which point is two hundred three and eight tenths (203.8) feet due south of and three hundred thirty-two (332) feet due east of the southwest corner of lot number twenty-six (26) in Brackenridge's ^{third} Subdivision, thence southerly a distance of one hundred four and eight tenths (104.8) feet to a point on the southerly line of the right-of-way of the Wabash Railroad Company, thence still southerly a distance of seven hundred twenty-three and sixty-four hundredths (723.64) feet, thence to the left seventeen degrees twenty-eight minutes (17° 28') a distance of three hundred twenty-seven and three tenths (327.3) feet to a point on the north property line of lot number sixteen (16) in Vesey's Garden Addition to the City of Fort Wayne, Indiana, which point is twenty-five and twenty-two hundredths (25.22) feet from the northwest corner of said lot number sixteen (16).

LOT #16 IN VESEY'S GARDEN ADDITION TO CITY OF FORT WAYNE, INDIANA

Beginning at a point on the north property line of lot number sixteen (16) in Vesey's Garden Addition to the City of Fort Wayne, Indiana, which point is a distance of twenty-five and twenty-two hundredths (25.22) feet south of the northwest corner of said lot sixteen (16), thence southerly a distance of five hundred fifty (550) feet to a point which is due east a distance of two hundred sixteen (216) feet from the southeast corner of lot number one (1) in Vesey's Garden Addition to City of Fort Wayne, Indiana.

PARCEL MARKED "D"

Beginning at a point on the south line of lot number one (1) in Vesey's Garden Addition to City of Fort Wayne, Indiana, extended east, which point is a distance of two hundred sixteen (216) feet east of the southeast corner of said lot number one (1) thence southerly a distance of four hundred thirteen and fifty-five hundredths (413.55) feet, thence to the right forty-three degrees two and one-half minutes (43° 2 1/2') a distance of twenty-five (25) feet more or less to a point on the north line of lot number nineteen (19) in Riverview Addition to the City of Fort Wayne, Indiana, which point is a distance of three hundred twenty-five (325) feet south of the northwest corner of said lot number nineteen (19).

LOT #19 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number nineteen (19) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of three hundred twenty-five (325) feet from the northwest corner of said lot number nineteen (19) thence southerly a distance of fifty-five and five tenths (55.5) feet to a point on the southerly property line of said lot number nineteen (19) a distance of three hundred nine (309) feet from the southwest corner of said lot number nineteen (19).

LOT #20 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number twenty (20) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of three hundred nine (309) feet from the northwest corner of said lot number twenty (20), thence southerly a distance of fifty-six and two tenths (56.2) feet to a point on the southerly property line of said lot number twenty (20) a distance of two hundred ninety-four and fifty-six hundredths (294.56) feet from the southwest corner of said lot number twenty (20).

Beginning at a point on the northerly property line of lot number twenty-one (21) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of two hundred ninety-four and fifty-six hundredths (294.56) feet from the northwest corner of said lot number twenty-one (21), thence southerly a distance of sixty-three (63) feet to a point on the southerly property line of said lot number twenty-one (21) a distance of two hundred eighty-one and twenty-two hundredths (281.22) feet from the southwest corner of said lot number twenty-one (21).

LOT #22 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number twenty-two (22) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of two hundred eighty-one and twenty-two hundredths (281.22) feet from the northwest corner of said lot number twenty-two (22), thence southerly a distance of sixty-four (64) feet to a point on the southerly property line of said lot number twenty-two (22), a distance of two hundred sixty-two and seventeen hundredths (262.17) feet from the southwest corner of said lot number twenty-two (22).

LOT #23 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number twenty-three (23) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of two hundred sixty-two and seventeen hundredths (262.17) feet from the northwest corner of said lot number twenty-three (23), thence southerly a distance of seventy-three and eight tenths (73.8) feet to a point on the southerly property line of said lot number twenty-three (23) a distance of two hundred forty-three and eighty-one hundredths (243.81) feet from the southwest corner of said lot number twenty-three (23).

LOT #24 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number twenty-four (24) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of two hundred forty-three and eighty-one hundredths (243.81) feet from the northwest corner of said lot number twenty-four (24), thence southerly a distance of forty-five and four tenths (45.4) feet to a point on the southerly property line of said lot number twenty-four (24) a distance of two hundred thirty-two and fifty-one hundredths (232.51) feet from the southwest corner of said lot number twenty-four (24).

LOT #25 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number twenty-five (25) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of two hundred thirty-two and fifty-one hundredths (232.51) feet from the northwest corner of said lot number twenty-five (25), thence southerly a distance of forty-five and four tenths (45.4) feet to a point on the southerly property line of said lot number twenty-five (25) a distance of two hundred twenty-one and twenty-one hundredths (221.21) feet from the southwest corner of said lot number twenty-five (25).

LOT #26 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number twenty-six (26) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of two hundred twenty-one and twenty-one hundredths (221.21) feet from the northwest corner of said lot number twenty-six (26), thence southerly a distance of forty-five and four tenths (45.4) feet to a point on the southerly property line of said lot number twenty-six (26), a distance of two hundred nine and ninety-one hundredths (209.91) feet from the southwest corner of said lot number twenty-six (26).

7
LOT #27 RIVERVIEW ADDITION

Book 128 Page 497

Beginning at a point on the northerly property line of lot number twenty-seven (27) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of two hundred nine and ninety-one hundredths (209.91) feet from the northwest corner of said lot number twenty-seven (27), thence southerly a distance of forty-five and four tenths (45.4) feet to a point on the southerly property line of said lot number twenty-seven (27), a distance of one hundred ninety-eight and sixty-one hundredths (198.61) feet from the southwest corner of said lot number twenty-seven (27).

LOT #28 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number twenty-eight (28) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of one hundred ninety-eight and sixty-one hundredths (198.61) feet from the northwest corner of said lot number twenty-eight (28), thence southerly a distance of forty-five and four tenths (45.4) feet to a point on the southerly property line of said lot number twenty-eight (28), a distance of one hundred eighty-seven and thirty-one hundredths (187.31) feet from the southwest corner of said lot number twenty-eight (28).

LOT #29 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number twenty-nine (29) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of one hundred eighty-seven and thirty-one hundredths (187.31) feet from the northwest corner of said lot number twenty-nine (29), thence southerly a distance of forty-five and four tenths (45.4) feet to a point on the southerly property line of said lot number twenty-nine (29), a distance of one hundred seventy-six and one hundredth (176.01) feet from the southwest corner of said lot number twenty-nine (29).

LOT #30 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number thirty (30) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of one hundred seventy-six and one hundredth (176.01) feet from the northwest corner of said lot number thirty (30), thence southerly a distance of forty-five and four tenths (45.4) feet to a point on the southerly property line of said lot number thirty (30) a distance of one hundred sixty-four and seventy-one hundredths (164.71) feet from the southwest corner of said lot number thirty (30).

LOT #31 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number thirty-one (31) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of one hundred sixty-four and seventy-one hundredths (164.71) feet from the northwest corner of said lot number thirty-one (31), thence southerly a distance of forty-five and four tenths (45.4) feet to a point on the southerly property line of said lot number thirty-one (31) a distance of one hundred fifty-three and forty-four hundredths (153.44) feet from the southwest corner of said lot number thirty-one (31).

LOT #32 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number thirty-two (32) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of one hundred fifty-three and forty-four hundredths (153.44) feet from the northwest corner of said lot number thirty-two (32), thence southerly a distance of forty-five and four tenths (45.4) feet to a point on the southerly property line of said lot number thirty-two (32) a distance of one hundred forty-two and fourteen hundredths (142.14) feet from the southwest corner of said lot number thirty-two (32).

Beginning at a point on the northerly property line of lot number thirty-three (33) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of one hundred forty-two and fourteen hundredths (142.14) feet from the northwest corner of said lot number thirty-three (33), thence southerly a distance of forty-five and four tenths (45.4) feet to a point on the southerly property line of said lot number thirty-three (33) a distance of one hundred thirty-one and thirty-six hundredths (131.36) feet from the southwest corner of said lot number thirty-three (33)

LOT #34 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number thirty-four (34) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of one hundred thirty-one and thirty-six hundredths (131.36) feet from the northwest corner of said lot number thirty-four (34), thence southerly a distance of sixty (60) feet to a point on the southerly property line of said lot number thirty-four (34), a distance of one hundred seventeen and eighteen hundredths (117.18) feet from the southwest corner of said lot number thirty-four (34).

LOT #35 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number thirty-five (35) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of one hundred seventeen and eighteen hundredths (117.18) feet from the northwest corner of said lot number thirty-five (35), thence southerly a distance of forty-four and two tenths (44.2) feet to a point on the southerly property line of said lot number thirty-five (35), a distance of one hundred sixteen and five tenths (116.5) feet from the southwest corner of said lot number thirty-five (35).

LOT #36 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number thirty-six (36) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of one hundred sixteen and five tenths (116.5) feet from the northwest corner of said lot number thirty-six (36), thence southerly a distance of forty-four and two tenths (44.2) feet to a point on the southerly property line of said lot number thirty-six (36), a distance of ninety-six (96) feet from the southwest corner of said lot number thirty-six (36).

LOT #37 RIVERVIEW ADDITION

Beginning at a point on the northerly property line of lot number thirty-seven (37) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of ninety-six (96) feet from the northwest corner of said lot number thirty-seven (37), thence southerly a distance of seventy-five hundredths (.75) feet, thence to the right thirty degrees and eighteen minutes (30° 18') a distance of seventy-nine (79) feet to a point on the southerly property line of said lot number thirty-seven (37) a distance of forty-eight (48) feet from the southwest corner of said lot number thirty-seven (37).

PARCEL MARKED "E"

Beginning at a point on the northerly property line of lot number thirty-seven (37) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of forty-eight (48) feet from the southwest corner of said lot number thirty-seven (37), thence southerly a distance of seventy-nine (79) feet to a point on the easterly property line of Vesey Avenue a distance of sixty-three and five tenths (63.5) feet from the southwest corner of said lot number thirty-seven (37).

*Modified to
read "southerly"
on place of "northerly"
Mar. 11, 1939*

PENNSYLVANIA RAILROAD CO. RIGHT-OF-WAY

A temporary sewer construction easement eighty (80) feet in width and a permanent sewer easement twenty (20) feet in width with an identical center-line, which at its intersection with the center-line of the Pennsylvania Railroad Right-Of-Way is approximately sixty (60) feet westerly from the westerly line of the St. Marys River, and the included angle between the south portion of said easement center-line and the east portion of said right-of-way center-line equals sixty-nine (69) degrees thirty and one-half ($30 \frac{1}{2}$) minutes.

The condemnation of the right of way as above described to be made by condemning and appropriating for temporary sewer construction easement and a permanent sewer right of way the real estate as fully described above and made a part hereof as though fully set forth, all as shown by a plan of such proposed condemnation of temporary sewer construction easement and permanent sewer right of way, now on file in the office of the Department of Public Works of said City.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled " An Act Concerning Municipal Corporations", approved March 6th, 1905, and the provisions of all acts amendatory thereto and supplemental thereof, and " An Act to authorize cities and towns to construct, own, equip, operate, maintain and improve works for the treatment and for the disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works and to make such bonds exempt from taxation and to make them lawful investments of sinking funds; to authorize contracts for the use of such works by other cities, towns and political subdivisions and charges against owners of premises therein served thereby; and declaring an emergency," approved August 17th, 1932, and the provisions of all acts amendatory thereto and supplemental thereof.

That the Board of Public Works of the City of Fort Wayne desires and deems it necessary for the City of Fort Wayne that the use and fee simple title of said aforementioned real estate be condemned and appropriated for intercepting sewer purposes.

That the City of Fort Wayne will be benefited by acquiring the use and fee simple title on the part of the City of said real estate and ground herein described and which real estate is hereby proposed to be condemned and appropriated. That no other property is injuriously affected excepting the property herein to be condemned and appropriated and that the City of Fort Wayne is or will be benefited to the full extent

of any damage caused by the appropriation and condemnation.

That payment for damages shall be made pursuant to the provisions and conditions of Chapter 61 of the 1932 Acts of the General Assembly of the State of Indiana, Special Session.

Adopted this 7th day of February, 1939

Frederick W. Beaman

David Lewis

J. H. Johnson

ATTEST:

Charles F. Hen
SECRETARY-CLERK

MINUTE RECORD NO. 23, PAGE 228

Department of Public Works
Regular Meeting held
Thursday, March 2, 1939, 7:30 P. M.

This being a date and time previously fixed by the Board when it would hear and consider objections or remonstrances against Declaratory Resolution Number 711-1939, which provides for the condemnation of a temporary sewer construction easement eighty (80) feet in width and a permanent sewer easement twenty (20) feet in width with an identical center line as hereinafter described, all of which description of real estate is more fully described in said resolution and is made a part hereof as though fully set forth, and which lies within the corporate limits of the City of Fort Wayne, Indiana; motion was made, seconded and carried that the aforesaid resolution be "MODIFIED" in paragraph headed: LOT #16 IN VESEY'S GARDEN ADDITION TO CITY OF FORT WAYNE, INDIANA; paragraph headed: PARCEL MARKED "D" and paragraph headed: PARCEL MARKED "E", to read as follows:

LOT #16 IN VESEY'S GARDEN ADDITION TO CITY OF FORT WAYNE, INDIANA

Beginning at a point on the north property line of lot number sixteen (16) in Vesey's Garden Addition to the City of Fort Wayne, Indiana, which point is a distance of twenty-five and twenty-two hundredths (25.22) feet east of the northwest corner of said lot sixteen (16), thence southerly a distance of five hundred fifty (550) feet to a point which is due east a distance of two hundred sixteen (216) feet from the southeast corner of lot number one (1) in Vesey's Garden Addition to City of Fort Wayne, Indiana.

PARCEL MARKED "D"

Beginning at a point on the south line of lot number one (1) in Vesey's Garden Addition to City of Fort Wayne, Indiana, extended east, which point is a distance of two hundred sixteen (216) feet east of the southeast corner of said lot number one (1) thence southerly a distance of four hundred thirteen and fifty-five hundredths (413.55) feet, thence to the right forty-three degrees two and one-half minutes ($43^{\circ} 2 \frac{1}{2}'$) a distance of twenty-five (25) feet more or less to a point on the north line of lot number nineteen (19) in Riverview Addition to the City of Fort Wayne, Indiana, which point is a distance of three hundred twenty-five (325) feet east of the northwest corner of said lot number nineteen (19).

PARCEL MARKED "E"

Beginning at a point on the southerly property line of lot number thirty-seven (37) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of forty-eight (48) feet from the southwest corner of said lot number thirty-seven (37), thence southerly a distance of seventy-nine (79) feet to a point on the easterly property line of Vesey Avenue a distance of sixty-three and five tenths (63.5) feet from the southwest corner of said lot number thirty-seven (37),

there being no objections or remonstrances of any nature whatsoever presented in the matter of the foregoing resolution, motion was made, seconded and carried that the said resolution be FULLY AND FINALLY CONFIRMED as "MODIFIED" and that the City Engineer be instructed to prepare an assessment roll of benefits and damages for the same.

DECLARATORY RESOLUTION
NO. 711 - 1939

Book 128 Page 201

For the condemnation of a temporary sewer construction easement eighty (80) feet in width and a permanent sewer easement twenty (20) feet in width with an identical center line as hereinafter described, all of which description of real estate is more fully described as follows and is made a part hereof as though fully set forth, and which lies within the corporate limits of the City of Fort Wayne, Indiana.

APPROVED-ADOPTED:	February 7, 1939, 10:00 A. M.
NOTICE TO PROPERTY OWNERS:	February 8th and 15th, 1939
HEARING ON CONFIRMATION:	Thursday, March 2, 1939, 7:30 P. M.
CONFIRMED: as "MODIFIED"	March 2, 1939, (See Minute Record #23, page 228)
ASSESSMENT ROLL ORDERED:	March 2, 1939
ASSESSMENT ROLL APPROVED:	Thursday, March 9, 1939, 7:30 P. M.
NOTICES SERVED:	March 20, 1939
NOTICE TO NON-RESIDENTS:	March 11th, 18th and 25th, 1939
HEARING ON CONFIRMATION:	Thursday, April 6, 1939, 7:30 P. M.
REMONSTRANCES FILED:	
ASSESSMENT ROLL CONFIRMED:	Thursday, April 6, 1939, 7:30 P. M.

CERTIFICATION

The undersigned, Joseph M. Schwartz, Secretary to the Board of Public Works of the City of Fort Wayne, does hereby certify that as such Secretary, he has in his charge, care and custody the official records of the said Board of Public Works of the City of Fort Wayne containing resolutions adopted by the Board and confirmed by the Board.

He further certifies that the pages to which this certificate is attached is a true and correct copy of Declaratory Resolution No. 711-1939 and of the record of the adoption of said resolution by the Board of Public Works of the City of Fort Wayne and that the record of the final confirmation of said resolution which is attached hereto are true and correct copies of said resolution and of the action of the Board in relation thereto as they appear in the minute records of the said Board of Public Works of the City of Fort Wayne.

He further certifies that the sheet attached hereto setting forth the dates of the adoption and of the final hearing on confirmation of said resolution are true and correct copies of the record under his custody and control and of the dates upon which actions were taken by the Board of Public Works.

IN WITNESS WHEREOF, he has hereunto set his name and the seal of the Board of Public Works of the City of Fort Wayne this 20 day of April, 1950.

Secretary



Joseph M. Schwartz

NOTED

☒ F.S.E.
☐ R.W.D.
☐ EVE

Date FILE

September 21, 1971

Mr. Albert Schmidt
Waterfield Mortgage Company
123 West Berry Street
Fort Wayne, Indiana

Subject: Declaratory Resolution 711 - 1939
Sewer Easement

Dear Mr. Schmidt:

Reference Declaratory Resolution No. 711 - 1939, which provided for the condemnation of an 80-foot temporary and a 20-foot permanent sewer easement across Lot numbered 18 in Brackenridge's 3rd Subdivision. In response to your request to this Department, please be advised the 80-foot temporary easement, as described in the above captioned resolution, is no longer in use, and therefore, in the opinion of the undersigned, should be obliterated.

The 20-foot permanent easement, however, is still in effect and the title to the real estate should be noted accordingly.

Trust this is the information you desired.

Very truly yours,

RB

Ron Bonar, Chief
Water Pollution
Control Engineer

RB:ah

CC: Board of Works

April 6, 1939
Fort Wayne, Indiana

To The Board of Public Works
City of Fort Wayne, Indiana

In Re: Condemnation of temporary sewer
construction easement and
permanent sewer easement, pursuant
to Declaratory Resolution #711-1939,
adopted by said Board of Public Works
on February 7, 1939, as modified
March 2, 1939

The undersigned, ~~being first duly sworn upon his~~ ~~oath~~, owner of the following described real estate, respectfully remonstrate to the Board of Public Works, City of Fort Wayne, Indiana, against the assessment of benefits and the award of damages on account of the condemnation of a temporary sewer construction easement 80 feet in width, and a permanent sewer easement 20 feet in width, as fully described in said Declaratory Resolution #711-1939, adopted February 7, 1939, as modified March 2, 1939, made against the following described real estate:

lot # 16 + East 1/2 of lot # 15 Vesey's Garden
Addition to the City of Fort Wayne, Indiana
Benefits \$1⁰⁰ Damages \$1⁰⁰

for the following reasons, to-wit:

1. That the assessment of benefits made herein is too high and exorbitant.
2. That the award of damages made herein is too low and inadequate.

David S. Vesey

by David T. Parrish

Subscribed and sworn to before me, this ____ day of April, 1939.

My Commission Expires

October 7, 1942

Notary Public

April 6, 1939
Fort Wayne, Indiana

To The Board of Public Works
City of Fort Wayne, Indiana

In Re: Condemnation of temporary sewer
construction easement and
permanent sewer easement, pursuant
to Declaratory Resolution #711-1939,
adopted by said Board of Public Works
on February 7, 1939, as modified
March 2, 1939

The undersigned, being first duly sworn upon his their
oath, owner of the following described real estate,
respectfully remonstrate to the Board of Public Works, City
of Fort Wayne, Indiana, against the assessment of benefits
and the award of damages on account of the condemnation of
a temporary sewer construction easement 80 feet in width,
and a permanent sewer easement 20 feet in width, as fully
described in said Declaratory Resolution #711-1939, adopted
February 7, 1939, as modified March 2, 1939, made against
the following described real estate:

Lot # 25 Riverview Addition to City of Fort Wayne, Indiana
Damages \$1.00 *Benefits \$1.00*

for the following reasons, to-wit:

1. That the assessment of benefits made herein is too
high and exorbitant.

2. That the award of damages made herein is too low and
inadequate.

Charles J. Bebbert

Subscribed and sworn to before me, this 6 day of April, 1939.

My Commission Expires

October 7, 1942

David T. Kain
Notary Public

Fort Wayne, Indiana
April 6, 1939

To The Board of Public Works
City of Fort Wayne, Indiana

In Re: Condemnation of temporary sewer
construction easement and
permanent sewer easement, pursuant
to Declaratory Resolution, #711-1939,
adopted by said Board of Public Works
on February 7, 1939, as modified
March 2, 1939.

The undersigned, being first duly sworn upon his oath, owners of the following described real estate, respectfully remonstrate to the Board of Public Works, City of Fort Wayne, Indiana, against the assessment of benefits and the award of damages on account of the condemnation of a temporary sewer construction easement 80 feet in width, and a permanent sewer easement 20 feet in width, as fully described in said Declaratory Resolution #711-1939, adopted February 7, 1939, as modified March 2, 1939, made against the following described real estate:

Lot No. 21, Riverview Addition, beginning at a point on the northerly property line of Lot Number Twenty-One (21) in Riverview Addition to the City of Fort Wayne, Indiana, a distance of two hundred ninety-four and fifty-six hundredths (294.56) feet from the northwest corner of said Lot Number Twenty-One (21), thence southerly a distance of sixty-three (63) feet to a point on the southerly property line of said Lot Number Twenty-One (21) a distance of two hundred eighty-one and twenty-two hundredths (281.22) feet from the southwest corner of said Lot Number Twenty-One (21), situated in the City of Fort Wayne, in Allen County, State of Indiana.

Amount of Damages \$1.00

Amount of Benefits \$1.00

for the following reasons, to-wit:

1. That the assessment of benefits made herein is too high and exorbitant.
2. That the award of damages made herein is too low and inadequate.

Peter Ernst

Subscribed and sworn to before me, this 6 day of April, 1939.

My Commission Expires

October 7, 1942

David T. Parrish

Notary Public

Peter S. & Lucy Ernst
3217 Vesey Avenue
Fort Wayne, Indiana

I hereby state that on this 17th day of April, 1939, I herewith withdraw the above remonstrance.

witness:

H. E. Lacey

Peter Ernst

Fort Wayne, Indiana
April 6, 1939

To The Board of Public Works
City of Fort Wayne, Indiana

In Re: Condemnation of temporary sewer
construction easement and
permanent sewer easement, pursuant
to Declaratory Resolution #711-1939,
adopted by said Board of Public Works
on February 7, 1939, as modified
March 2, 1939.

The undersigned, being first duly sworn upon his their
oath, owners of the following described real estate,
respectfully remonstrate to the Board of Public Works, City
of Fort Wayne, Indiana, against the assessment of benefits
and the award of damages on account of the condemnation of
a temporary sewer construction easement 80 feet in width,
and a permanent sewer easement 20 feet in width, as fully
described in said Declaratory Resolution #711-1939, adopted
February 7, 1939, as modified March 2, 1939, made against
the following described real estate:

Lot Number 26, Riverview Addition: Beginning at a point
on the northerly property line of Lot Number Twenty-Six (26)
in Riverview Addition to the City of Fort Wayne, Indiana, a
distance of two hundred twenty-one and twenty-one hundredths
(221.21) feet from the northwest corner of said Lot Number
Twenty-Six (26); thence southerly a distance of forty-five
and four-tenths (45.4) feet to a point on the southerly property
line of said Lot Number Twenty-Six (26) a distance of two hundred
nine and ninety-one hundredths (209.91) feet from the southwest
corner of said Lot Number Twenty-Six (26), situated in the City
of Fort Wayne, in Allen County, State of Indiana.

Amount of Benefits \$1.00

Amount of Damages \$1.00

for the following reasons, to-wit:

1. That the assessment of benefits made herein is too
high and exorbitant.
2. That the award of damages made herein is too low and
inadequate.

Robert W. Nierman

Subscribed and sworn to before me, this 6 day of April, 1939.

My Commission Expires
October 7, 1942

David T. Parish
Notary Public

Robert W. & Opal Nierman
3309 Vesey Avenue
Fort Wayne, Indiana

April 6, 1939
Fort Wayne, Indiana

To The Board of Public Works
City of Fort Wayne, Indiana

In Re: Condemnation of temporary sewer
construction easement and
permanent sewer easement, pursuant
to Declaratory Resolution #711-1939,
adopted by said Board of Public Works
on February 7, 1939, as modified
March 2, 1939.

The undersigned, being first duly sworn upon ~~his~~ their
oath, owners of the following described real estate,
respectfully remonstrate to the Board of Public Works, City
of Fort Wayne, Indiana, against the assessment of benefits
and the award of damages on account of the condemnation of
a temporary sewer construction easement 80 feet in width,
and a permanent sewer easement 20 feet in width, as fully
described in said Declaratory Resolution #711-1939, adopted
February 7, 1939, as modified March 2, 1939, made against
the following described real estate:

Lot Number 22, Riverview Addition, beginning at a point on
the northerly property line of Lot Number Twenty-Two (22) in
Riverview Addition to the City of Fort Wayne, Indiana, a distance
of two hundred eighty-one and twenty-two hundredths (281.22)
feet from the northwest corner of said Lot Number Twenty-Two (22),
thence southerly a distance of sixty-four (64) feet to a point
on the southerly property line of said Lot Number Twenty-Two (22)
a distance of two hundred sixty-two and seventeen hundredths
(262.17) feet from the southwest corner of said Lot Number
Twenty-Two (22), situated in the City of Fort Wayne, in Allen
County, Indiana.

Amount of Benefits \$1.00

Amount of Damages \$1.00

for the following reasons, to-wit:

1. That the assessment of benefits made herein is too
high and exorbitant.
2. That the award of damages made herein is too low and
inadequate.

Peter Ernst

Subscribed and sworn to before me, this 6 day of April, 1939.

My Commission Expires

October 7, 1942

Sam T. Parish

Notary Public

Peter S. & Lucy Ernst
3217 Vesey Avenue
Fort Wayne, Indiana

I hereby state that on this 17th day
of April, 1939, I have with withdrawn
the above remonstrance.

Witness — H.E. Lakey Peter Ernst

Fort Wayne, Indiana
April 6, 1939

To The Board of Public Works
City of Fort Wayne, Indiana

In Re: Condemnation of temporary sewer
construction easement and
permanent sewer easement, pursuant
to Declaratory Resolution, #711-1939,
adopted by said Board of Public Works
on February 7, 1939, as modified
March 2, 1939.

The undersigned, being first duly sworn upon her
oath, owner of the following described real estate,
respectfully remonstrate to the Board of Public Works, City
of Fort Wayne, Indiana, against the assessment of benefits
and the award of damages on account of the condemnation of
a temporary sewer construction easement 80 feet in width,
and a permanent sewer easement 20 feet in width, as fully
described in said Declaratory Resolution #711-1939, adopted
February 7, 1939, as modified March 2, 1939, made against
the following described real estate:

Lot Number 30, Riverview Addition, beginning at a point on
the northerly property line of Lot Number Thirty (30) in
Riverview Addition to the City of Fort Wayne, Indiana, a
distance of one hundred seventy-six and one hundredths
(176.01) feet from the northwest corner of said Lot
Number Thirty (30); thence southerly a distance of forty-
five and four tenths (45.4) feet to a point on the southerly
property line of said Lot Number Thirty (30) a distance of
one hundred sixty-four and seventy-one hundredths (164.71)
feet from the southwest corner of said Lot Number Thirty
(30), situated in the City of Fort Wayne, Allen County, Indiana.

Amount of Damages \$1.00

Amount of Benefits \$1.00

for the following reasons, to-wit:

1. That the assessment of benefits made herein is too
high and exorbitant.
2. That the award of damages made herein is too low and
inadequate.

Beulah M. Bailey

Subscribed and sworn to before me, this 6 day of April, 1939.

My Commission Expires

October 7, 1942

David T. Parrish

Notary Public

Beulah M. Bailey
3329 Vesey Avenue
Fort Wayne, Indiana

Fort Wayne, Indiana
April 6, 1939

To The Board of Public Works
City of Fort Wayne, Indiana

In Re: Condemnation of temporary sewer
construction easement and
permanent sewer easement, pursuant
to Declaratory Resolution #711-1939,
adopted by said Board of Public Works
on February 7, 1939, as modified
March 2, 1939

The undersigned, being first duly sworn upon ~~his~~ their
oath, owners of the following described real estate,
respectfully remonstrate to the Board of Public Works, City
of Fort Wayne, Indiana, against the assessment of benefits
and the award of damages on account of the condemnation of
a temporary sewer construction easement 80 feet in width,
and a permanent sewer easement 20 feet in width, as fully
described in said Declaratory Resolution #711-1939, adopted
February 7, 1939, as modified March 2, 1939, made against
the following described real estate:

Lot Number 29, Riverview Addition, beginning at a point
on the northerly property line of Lot Number Twenty-Nine (29)
in Riverview Addition to the City of Fort Wayne, Indiana, a
distance of one hundred eighty-seven and thirty-one hundredths
(187.51) feet from the northwest corner of said Lot Number
Twenty-Nine (29), thence southerly a distance of forty-five
and four tenths (45.4) feet, to a point on the southerly
property line of said Lot Number Twenty-Nine (29) a distance
of one hundred seventy-six and one hundredths (176.01) feet
from the southwest corner of said Lot Number Twenty-Nine (29),
situated in the City of Fort Wayne, in Allen County, Indiana.

Amount of Benefits \$1.00

Amount of Damages \$1.00

for the following reasons, to-wit:

1. That the assessment of benefits made herein is too
high and exorbitant.
2. That the award of damages made herein is too low and
inadequate.

Joseph D. Sanders

Subscribed and sworn to before me, this 6 day of April, 1939.

My Commission Expires

October 7, 1942

David T. Parish
Notary Public

Joseph D. & Mary Sanders
2430 Smith Street
Fort Wayne, Indiana

Fort Wayne, Indiana
April 6, 1939

To The Board of Public Works
City of Fort Wayne, Indiana

In Re: Condemnation of temporary sewer
construction easement and
permanent sewer easement, pursuant
to Declaratory Resolution #711-1939,
adopted by said Board of Public Works
on February 7, 1939, as modified
March 2, 1939

The undersigned, being first duly sworn upon his their
oath, owners of the following described real estate,
respectfully remonstrate to the Board of Public Works, City
of Fort Wayne, Indiana, against the assessment of benefits
and the award of damages on account of the condemnation of
a temporary sewer construction easement 80 feet in width,
and a permanent sewer easement 20 feet in width, as fully
described in said Declaratory Resolution #711-1939, adopted
February 7, 1939, as modified March 2, 1939, made against
the following described real estate:

Lot Number Twenty-Eight (28); Riverview Addition, beginning
at a point on the northerly property line of Lot Number Twenty-Eight
(28) in Riverview Addition to the City of Fort Wayne, Indiana, a
distance of one hundred ninety-eight and sixty-one hundredths
(198.61) feet from the northwest corner of said Lot Number Twenty-
Eight (28); thence southerly a distance of forty-five and four-
tenths (45.4) feet to a point on the southerly property line of
said Lot Number Twenty-Eight (28), a distance of one hundred
eighty-seven and thirty-one hundredths (187.31) feet from the
southwest corner of said Lot Number Twenty-Eight (28), situated
in the City of Fort Wayne, in Allen County, State of Indiana.

Amount of Benefits \$1.00

Amount of Damages \$1.00

for the following reasons, to-wit:

1. That the assessment of benefits made herein is too
high and exorbitant.
2. That the award of damages made herein is too low and
inadequate.

Joseph D. Sanders

Subscribed and sworn to before me, this 6 day of April, 1939.

My Commission Expires

October 7, 1942

David T. Parish
Notary Public

Joseph D. & Mary Sanders
2430 Smith Street
Fort Wayne, Indiana

Fort Wayne, Indiana
April 6, 1939

To The Board of Public Works
City of Fort Wayne, Indiana

In Re: Condemnation of temporary sewer
construction easement and
permanent sewer easement, pursuant
to Declaratory Resolution #711-1939,
adopted by said Board of Public Works
on February 7, 1939, as modified
March 2, 1939.

The undersigned, being ~~first duly sworn upon her~~
~~oath~~, owner of the following described real estate,
respectfully remonstrate to the Board of Public Works, City
of Fort Wayne, Indiana, against the assessment of benefits
and the award of damages on account of the condemnation of
a temporary sewer construction easement 80 feet in width,
and a permanent sewer easement 20 feet in width, as fully
described in said Declaratory Resolution #711-1939, adopted
February 7, 1939, as modified March 2, 1939, made against
the following described real estate:

Lot Number 31, Riverview Addition: Beginning at a point
on the northerly property line of Lot Number Thirty-One (31)
in Riverview Addition to the City of Fort Wayne, Indiana, a
distance of one hundred sixty-four and seventy-one hundredths
(164.71) feet from the northwest corner of said Lot Number
Thirty-One (31), thence southerly a distance of forty-five
and four-tenths (45.4) feet to a point on the southerly property
line of said Lot Number Thirty-One (31) a distance of one hundred
fifty-three and forty-four hundredths (153.44) feet from the
southwest corner of said Lot Number Thirty-One (31), situated
in the City of Fort Wayne, in Allen County, State of Indiana.

Amount of Damages \$1.00

Amount of Benefits \$1.00

for the following reasons, to-wit:

1. That the assessment of benefits made herein is too
high and exorbitant.
2. That the award of damages made herein is too low and
inadequate.

Clara J. Sorg
by David T. Parish

Subscribed and sworn to before me, this 6 day of April, 1939.

My Commission Expires
October 7, 1942

Notary Public

Clara J. Sorg
3406 Vesey Avenue
Fort Wayne, Indiana

REMONSTRANCE

Fort Wayne, Ind., April 3 1923.

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate fronting on description hereinafter mentioned, from to

respectfully remonstrate against the passage of a resolution providing for being Declaratory Resolution 711 as modified March 2, 1939 wherein amount of benefits are \$1.00 and amount of damages \$1.00 for the easement and condemnation of the real estate for the purpose of establishing a sewer over a certain portion of the real estate hereinafter described.

Lot Number 18; Brackenridge's 3rd Subdivision, except the West 334 feet on South line, beginning at a point on the Northerly line of Lot Number eighteen (18) in Brackenridge's Third Subdivision, which point is described as follows: Beginning at the Northwest corner of Anna Dolan's Subdivision of part of lot number 18 in Brackenridge's Third Subdivision; thence easterly along the southerly line of Hale Avenue, a distance of one hundred sixty-five (165) feet; thence to the right fourteen degrees and forty-four minutes (14°44') along the southerly line of Hale Avenue a distance of six and twenty-six hundredths (6.26) feet to a point, which point is the before mentioned point of beginning, thence southerly a distance of two hundred fifty-eight and ninety-four hundredths (258.94) feet to a point on the south property line of said lot number 18 a distance of one hundred fifty and eighteen hundredths (150.18) feet from the southeast corner of said Anna Dolan's Subdivision.

Lot Number 19; North one-half, Brackenridge's 3rd Subdivision; beginning at a point on the North property line of Lot Number nineteen (19) in Brackenridge's Third Subdivision, a distance of three hundred thirty-two and eighteen hundredths (332.18) feet from the northwest corner of said lot number nineteen (19); thence southerly a distance of one hundred thirty-two and twenty-six hundredths (132.26) feet to a point on the South property line of said lot number nineteen (19) a distance of three hundred twenty-three and ninety-four hundredths (323.94) feet from the southwest corner of said lot number nineteen (19).

My objections are that I purchased and paid quite a sum of money for the above land and in case I should erect any buildings above this easement I would have to sell subject to the easement which would hinder my sale of the place and the property forever after would be subject to repairs and digging up of the sewer. I therefore recommend to your Honorable Board that my damages would be \$500.00. This would be a small sum under the conditions.

Charles W. Sieboldt
2226 Sieboldt Ave

REMONSTRANCE

Against the Passage of a Resolution for
Improving

.....

.....

.....

.....

From Street

To Street

FILED WITH THE

REMONSTRANCE

Fort Wayne, Ind., April 5, 1929

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate fronting on Description hereinafter mentioned, from
to

respectfully remonstrate against the passage of a resolution providing for being Declaratory

Resolution 711 as modified March 2, 1939 wherein amount of benefits are \$1.00 and amount of damages \$1.00 for the easement and condemnation of the real estate for the purpose of establishing a sewer over a certain portion of the real estate hereinafter described.

Lot 14 and 15: Brackenridge's 2nd Subdivision: beginning at a point on the South line of Brown Street a distance of twenty-two and seventeen hundredths (22.17) feet from the Northwest corner of Lot Number fifteen (15) in Brackenridge's Second Subdivision: thence southerly a distance of three hundred sixty-one and eighty-one hundredths (361.81) feet: thence to the right seven degrees two minutes (7°2') a distance of two hundred sixty-seven and thirty-three hundredths (267.33) feet to a point on the southerly property line of said lot number fifteen (15) which point is described as follows: Beginning at a point on the Southwest corner of said lot Number 15: thence easterly a distance of forty (40) Feet: thence to the right thirteen degrees fifty-two minutes (13°52') a distance of nineteen and sixty-three hundredths (19.63) feet which point is the beforementioned point on the southerly property line of said lot Number 15.

My objections are that I purchased and paid quite a sum of money for the above land and in case I should erect any buildings above this easement I would have to sell subject to the easement which would hinder my sale of the place and the property forever after would be subject to repairs and digging up of the sewer. There would also be damage to a strawberry patch which yielded \$120.00 in 1938 that will be a total loss hereafter; damage to approximately 25 peach trees that will be a total loss; damage to approximately 25 berry bushes; damage to lawn and hedge; damage to truck patch 50' wide by 200' in length; damage for any and all trespass outside of specifications. I therefore recommend to your Honorable Board that my damages would be \$200.00. This would be a small sum under the conditions.

Yours Respt.

Ralph Bower

Leona Bower

REMONSTRANCE

Against the Passage of a Resolution for
Improving

.....

.....

.....

.....

From Street

To Street

FILED WITH THE

PAPERS IN RELATION TO
DECLARATORY RESOLUTION

711-1939

After reading, all
returned after the
in the inspection
particulars

Improvement Res. No.

Resolution Adopted:

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed: